

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CONWAY T. PERRY,

Defendant.

8:12CR185

ORDER

This matter is before the Court on the Defendant's "Motion to Dismiss Case for a Defect in Instituting the Prosecution, a Defect in the Indictment or Information, Failure of Indictment or Information to State a Proper Offense, Lack of Personal Jurisdiction, Lack of Miranda, Lack of an Authentic Injured Party, Failure to State Nature and Cause of Proper Charge and Request for Evidentiary Hearing and Oral Argument" (Filing No. 40). The government filed a detailed brief in response and index of evidence (Filing Nos. 42, 43).

This motion is denied as untimely, as the pretrial motion deadline was September 19, 2012. (Filing No. 24.) The arguments raised, to the extent that they can be understood, are largely frivolous. The Assistant United States Attorney, nevertheless, responded to the arguments in great detail. If the motion were to be addressed on its merits the Court would deny it based on the government's arguments.

IT IS ORDERED:

1. The Defendant's motion to dismiss, including the request for an evidentiary hearing, (Filing No. 40) is denied as untimely; and

2. The Clerk is directed to mail a copy of this Order to the Defendant at his last known address.

Dated this 18th day of October, 2012.

BY THE COURT:

s/Laurie Smith Camp
Chief United States District Judge